

REMARKS

Claims 1, 4, 5, 9, 11-14, 17-28, 32, 34, 37-39, 42-45, 48, 49, 53-55, and 57 are pending and Claims 2, 3, 6-8, 10, 15, 16, 29-31, 33, 35, 36, 40, 41, 46, 47, 50-52, 56, 58 and 59 are withdrawn from consideration. An Office Action mailed June 17, 2004 rejected Claims 1, 4, 5, 9, 11-14, 17-28, 32, 34, 37-39, 42-45, 48, 49, 53-55, and 57 under 35 U.S.C. § 103. By way of this amendment, Claims 5, 13, 21, 23, 25, and 38 have been amended and Claims 1-4, 19, 20, and 49-59 have been canceled. Pursuant to 37 CFR § 1.111, Applicants hereby respectfully request reconsideration of the application.

REJECTION OF CLAIMS 1, 4, 5, 11, 13, 14, 18-28, 34, 38, 39, 42-45, 49, 53-55, AND 57 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 1, 4, 5, 11, 13, 14, 18-28, 34, 38, 39, 42-45, 49, 53-55, and 57 as being unpatentable over Crook in view of Cooper. The Office Action states that Crook does not specifically disclose an alert signal when the landing is unsafe and that Cooper discloses an apparatus for detecting the position of an aircraft with respect to the runway comprising an alert signal if the landing is unsafe. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the teaching of Cooper in the system of Crook because they both teach a device for detecting the position of an aircraft with respect to the runway. With regard to the amended independent claims, Applicant respectfully traverses this rejection.

With regard to independent Claim 5, Applicant submits that Crook and Cooper, alone or in combination, fail to teach or suggest assigning a risk of go-around value to each of the parameters, summing the assigned risk values, and asserting an alert signal when said summed values exceed a predetermined threshold amount. Crook discloses that the values of the monitored parameters indicates that without additional braking the airplane speed at the end of the runway would be excessive (col. 4, lines 28-36). Applicant submits that Cooper only uses

multiple parameters to determine a single parameter (braking speed required) and does not assign risk values to multiple parameters that are then summed and compared to a threshold value. Crook only determines ground distance between the aircraft and a transmitter and fails to consider summing risk values of multiple parameters.

Therefore, Independent Claims 5, 13, 21, 23, 25, and 38 are allowable for the above reasons. Because Claims 13, 18, 22, 24, 34, 39, and 42-45 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

REJECTION OF CLAIMS 9, 12, 17, 32, 37, AND 48 UNDER 35 U.S.C. § 103

The Office Action rejected Claims 9, 12, 17, 32, 37, and 48 as being unpatentable over Crook in view of Cooper and further in view of Muller et al. The Office Action states that Cooper and Crook do not directly teach the step of monitoring a plurality of parameters that include a step of monitoring a position of the aircraft. However, the use of GPS to indicate the current position and projected flight path of the aircraft is old and well-known in the art as taught by Muller and that it would have been obvious to the skilled artisan to use the GPS of Muller in the system of the combination so that the position of the aircraft is accurately monitored. With regard to the amended independent claims, Applicant respectfully traverses this rejection.

Applicant submits that Muller fails to overcome the deficiencies of Crook and Cooper as noted above. Therefore, Claims 9, 12, 17, 32, 37, and 48 are allowable for depending from allowable independent claims.

CONCLUSION

Applicant respectfully submits that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the examiner has any questions, the examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

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MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3/29/05

Date of Deposit



Michelle J. Carman